

MINUTES OF TOWN OF PACIFIC SPECIAL BOARD MEETING

July 1, 2009 5:00 pm Held at the Pacific Town Hall

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Special meeting called to order by Chairman Devine at 5:05 pm.

Roll Call: Chairman William G. Devine, Supervisors' George F. Beasley, Irma J. Brockley, Craig M. Cawley, Mahlon Kirk. There is a quorum.

Others Present: Clerk Ethel A. Smith, Attorney John Miller, Engineers Rob Roth and Scott Anderson.

Verification of Public Notice by Town Board. Clerk Smith stated she had published the meeting notice in the Portage Daily Register and posted at the three designated places in the Town on June 26, 2009.

Closed Session. Chairman Devine stated, upon motion, the Board would go into closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved. Motion by Cawley/Brockley to go into closed session. Beasley-yes, Brockley-yes, Cawley-yes, Kirk-yes, Devine-yes. All in favor by roll call vote.

Open Session. Motion by Cawley/Kirk to reconvene in open session. (6:10 pm) All in favor by roll call vote.

Others Present: Pete Bartaczewicz, James McGilton, Vince Wardle, Audrey Dettman.

Discussion of Town Engineer's Report and possible action on setting hearing date on special assessments for storm water improvements to handle drainage of storm water from Crane View Estates and other adjacent parcels. Motion by Beasley/Kirk to proceed with the plans as drafted by General Engineering and set notice of Hearing. Discussion. Question by Supervisor Beasley to Pete Bartaczewicz, 'How many times have you actually been flooded?' Pete stated, 'Two times directly, in June 2008 when water came in through the floor of my house.' Would have been four other times if he had not pumped. Other times, damage to pertinent structure. Shed that was built in April 2003, Building Permit #P-04 April 23, 2003, had major flooding two times. He first started pumping in 2001 through 2004 without a problem. He wrote a letter to the Town Board with safety concerns October 30, 2005. Audrey Dettman stated the first flood was in 1993. It was not until the two storms in June 2008 that water came through the basement floor. Chairman Devine stated the original easement ditch was put in to protect the road. There was maintenance activity in June or July of 2001 at a cost of \$9,200.00. Dick Pate, Audrey Dettman and Pete Bartaczewicz were affected. Pete stated the pipe wasn't low enough to drain the pond. Land in area is level. Nowhere to drain. Pete spoke of taking this matter to court. Attorney Miller recommended, because of possible litigation, that the Board cease discussion and vote on the motion. Roll call vote was: Beasley-yes, Brockley-yes, Cawley-yes, Kirk-yes. All in favor to proceed with the plans as drafted by General Engineering and set notice of Hearing.

Adjourn. Motion by Beasley/Kirk to adjourn. All in favor by voice vote. (7:17 pm)

Ethel A. Smith, Clerk